

REMARKS

In view of the above amendments and following remarks, reconsideration and further examination are requested.

In the Final Rejection mailed October 25, 2006: claims 8, 9, 18 and 19 were rejected under 35 U.S.C. § 102(b) as being anticipated by JP '980; claims 8, 9, 17-19 and 27 were rejected under 35 U.S.C. § 102(b) as being anticipated by Russell et al.; claims 10-13, 15, 16, 20-23, 25 and 26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Russell et al. in view of Smith et al.; and, claims 14 and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Russell et al. in view of Smith et al., and further in view of JP '444.

In relying on each of JP '980 and Russell et al. to find claims 9 and 19 to be anticipated thereby, the Examiner has taken the position that the claim limitation of "a nitric acid supply system for supplying nitric acid..." reads on the supply systems of these references because this limitation recites an intended use of the supply system which can be performed by JP '980 and Russell et al., and the structure of the supply system as claimed is disclosed by JP '980 and Russell et al. Accordingly, in order to address this position the claims have been amended to positively recite that the nitric acid supply system includes **a supply of nitric acid**. In this regard, each of independent claims 8 and 18 recite --a nitric acid supply system...including a supply of nitric acid--, which supply of nitric acid is shown as reference numeral "6" in Fig. 1, for example. Because neither JP '980 nor Russell et al. teach or suggest supplying nitric acid, these references also do not teach or suggest a supply of nitric acid, whereby claims 8 and 18 are not anticipated by JP '980 nor Russell et al.

Additionally, each of claims 8 and 18 have been further amended to require that the inlet for the spent nuclear powder and the inlet for the nitric acid are each at a level **beneath the level at which the agitating member is located**. Because the spent nuclear powder and nitric acid are introduced into the dissolving tank below the agitating member, it is possible to agitate and rotate an entirety of the nitric acid containing suspended powder in the lower portion of the dissolving tank, whereby effective dissolution of the powder can be realized. In JP '980 and Russell et al.,

powder and fluid are not introduced into the tank below the agitating member, and accordingly, the location of the inlets as required by claims 8 and 18 is lacking from these references. For this additional reason, claims 8 and 18 are not anticipated by neither JP '980 nor Russell et al.

Neither Smith et al. nor JP '444 resolve the above deficiencies of JP '980 and Russell et al., whereby claims 8-27 are allowable over the relied-upon references either taken alone or in combination.

In view of the above amendments and remarks, it is respectfully submitted that the present application is in condition for allowance and an early Notice of Allowance is earnestly solicited.

If after reviewing this Amendment, the Examiner believes that any issues remain which must be resolved before the application can be passed to issue, the Examiner is invited to contact the Applicants' undersigned representative by telephone to resolve such issues.

Respectfully submitted,

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